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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER DIEP and
KHA DINH TRAN,

Defendants and Appellants.

G037553

(Super. Ct. No. 03WF2374)

ORDER MODIFYING OPINION
AND DENYING PETITION FOR
REHEARING; NO CHANGE IN
JUDGMENT

It is ordered that the opinion filed herein on March 3, 2009, be modified as follows:

On page 3, in the first full paragraph, delete the last sentence beginning, “We reject each contention” in its entirety and replace it with the following sentence:

As to both Diep and Tran, we reject every contention made by each of them, or find any error to have been harmless, and therefore affirm.

This modification does not effect a change in the judgment. The petition for rehearing is DENIED.

FYBEL, J.

WE CONCUR:

SILLS, P. J.

ARONSON, J.